

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MIKE JAMIL,

Plaintiff,

v.

OFFICER VEENEMA, ET AL.,

Defendants.

Case No. 23-11901

U.S. DISTRICT COURT JUDGE
GERSHWIN A. DRAIN

U.S. MAGISTRATE JUDGE
DAVID R. GRAND

ORDER: (1) GRANTING DEFENDANTS' MOTION TO DISMISS [ECF NO. 21]; (2) ADOPTING REPORT AND RECOMMENDATION [ECF NO. 24]; and (3) DISMISSING CASE WITH PREJUDICE.

On July 18, 2023, *pro se* plaintiff Mike Jamil (“Jamil”), an incarcerated person, commenced this civil rights action in the United States District Court for the Western District of Michigan, pursuant to 42 U.S.C. § 1983, against four individuals employed by the Michigan Department of Corrections: Officer Veenema, Sergeant Reed, Officer Stolter, and Officer Corlew (collectively “Defendants”). (ECF No. 1). On August 4, 2023, this case was transferred to this Court. (*Id.*). On January 18, 2024, it was referred to the Judge David Grand for all pretrial purposes. (ECF No. 13).

On April 19, 2024, Defendants filed a motion to dismiss, arguing that Jamil’s complaint – which pleads violations of the Eighth and Fourteenth

Amendments – fails to state a claim as a matter of law. (ECF No. 21). Because Jamil failed to oppose Defendants’ motion, despite having twice been ordered to do so, and for the other reasons discussed in Judge Grand’s Report and Recommendation (the “R&R”), Judge Grand recommended that Defendants’ Motion for Dismissal Pursuant to Fed. R. Civ. P. 12(b)(6) (ECF No. 21) be granted.

Plaintiff did not object to the R&R. For the reasons set forth in the R&R: (1) Defendants’ Motion to Dismiss is **GRANTED**; and (2) the Court accepts and adopts the R&R. This matter is **DISMISSED** with prejudice.

SO ORDERED.

Dated: August 23, 2024

/s/Gershwin A. Drain
GERSHWIN A. DRAIN
United States District Judge

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on August 23, 2024, by electronic and/or ordinary mail.

/s/ Marlena Williams
Deputy Clerk